

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

SCHUCHMAN/SAMBERG INVESTMENTS, INC.)
Plaintiff/Counter Defendant,)

v.)

HOOSIER PENN OIL CO. INC., UNIVAR USA INC.)
f/k/a VAN WATERS & ROGERS INC., UNION OIL)
COMPANY OF CALIFORNIA f/k/a THE PURE OIL)
COMPANY, and BY CORPORATION NORTH)
AMERICA INC. f/k/a STANDARD OIL COMPANY,)
Defendant/Counter-Claimants.)

Case No.: 1:13-cv-0107-SEB-TAB

UNIVAR USA INC.,)
Cross Claimant,)

v.)

UNION OIL COMPANY OF CALIFORNIA, BP)
CORPORATION NORTH AMERICA INC., and)
HOOSIER PENN OIL CO., INC.)
Cross Defendants.)

HOOSIER PENN OIL CO., INC.,)
Cross Claimant,)

v.)

UNIVAR USA INC.,)
Cross Defendant.)

JOINT STIPULATION OF DISMISSAL

IT IS HEREBY JOINTLY STIPULATED AND AGREED by all parties to the above-titled action, Schuchman/Samberg Investments, Inc. (“SSI”), Univar USA Inc. (“Univar”), Hoosier Penn Oil Co., Inc. (“Hoosier Penn”), Union Oil Company of California f/k/a The Pure Oil Company (“Union Oil”), and BP Corporation North America Inc. f/k/a Standard Oil Company (“BP”) (collectively, “Parties”) that, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil

Procedure, all remaining claims in the above-titled action, including but not limited to all Complaints, Amended Complaints, Counterclaims and Cross-Claims, shall be and are hereby dismissed, with prejudice, with each side to bear its own fees and costs.¹

Respectfully submitted,

Dated: September 4, 2020

/s/ Michael J. Reeder

David L. Hatchett
Michael J. Reeder
HATCHETT & HAUCK LLP
150 West Market St., Suite 200
Indianapolis, Indiana 46204
(317) 464-2621
Fax: (317) 464-2629
Email: david.hatchett@h2lawyers.com

Attorneys for Plaintiff

/s/ Frank J. Deveau

Frank J. Deveau
TAFT STETTINIUS & HOLLISTER LLP
One Indiana Square, Suite 3500
Indianapolis, Indiana 46204

Attorney for Union Oil

/s/ Brianna J. Schroeder

Todd J. Janzen
Brianna J. Schroeder
Janzen Agricultural Law LLC
8425 Keystone Crossing, Suite 111
Indianapolis, Indiana 46240

Attorneys for Hoosier Penn

/s/ Sean P. Burke

Sean P. Burke # 26995-49
Mattingly Burke Cohen & Biederman LLP
155 E. Market Street,
Indianapolis, IN 46204
317-614-7320
Sean.Burke@mbcblaw.com

Attorney for Univar

/s/ Dale W. Eikenberry

Dale W. Eikenberry
Allison W. Gritton
WOODEN & MCLAUGHLIN LLP
One Indiana Square, Suite 1800
Indianapolis, Indiana 46204

Attorneys for BP

¹ On July 23, 2020, the Parties filed a Joint Status Report which stated that the Parties had reached a settlement, a portion of which was still in the process of being finalized, and that a joint stipulation of dismissal would be filed once the settlement was finalized. (See Report, p. 2 (docket # 153). That settlement has now been completely finalized and this Joint Stipulation has been filed as a result.